

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF ALASKA**

JUSTIN ACKER, *et al.*,

Plaintiffs,

v.

PROVIDENCE HEALTH AND  
SERVICES WASHINGTON, d/b/a  
Providence Alaska Medical Center, *et al.*,

Defendants.

Case No. 4:22-cv-00017-SLG

**ORDER RE PLAINTIFFS' FED. R. CIV. P. 56(d)(2) MOTION FOR ADDITIONAL  
TIME TO TAKE DISCOVERY BEFORE RESPONDING TO MOTION FOR  
SUMMARY JUDGMENT**

Before the Court at Docket 30 is *Plaintiffs' Fed. R. Civ. P. 56 (d)(2) Motion for Additional Time to Take Discovery Before Responding to Motion for Summary Judgment*. Defendant Knox responded in opposition to the Motion at Docket 31.

Plaintiffs seek an additional six months before responding to the motion in which to conduct discovery. Defendant Knox opposes. She points to the scheduling order in this case, which specified that “[m]otions regarding the 1983 claims shall be filed by February 24, 2023.” However, she omits the second half of the sentence from that order: “if necessary discovery has been completed by then.” See Docket 23 at 8. And Plaintiffs have demonstrated that they could benefit from additional discovery prior to responding to the motion. Moreover, fact discovery does not close until October 26, 2023. See Docket 23 at 4.

For the foregoing reasons, the motion at Docket 30 is GRANTED and Plaintiffs shall have until September 5, 2023 in which to respond to Dr. Knox's motion for summary judgment. However, Plaintiffs are expected to diligently conduct all necessary discovery. **No additional extensions of this deadline will be granted absent a showing of exceptional good cause.**

DATED this 31st day of March, 2023, at Anchorage, Alaska.

/s/ Sharon L. Gleason

UNITED STATES DISTRICT JUDGE